

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

George Holmes, #289114, )  
)  
Plaintiff, )  
)  
v. )  
)  
Inv. J. Fraser, BCSO, )  
)  
Defendant. )  
\_\_\_\_\_ )

Civil Action No. 9:11-969

**ORDER**


This matter is before the Court upon the Plaintiff's pro se complaint filed pursuant to 42 U.S.C. § 1983, wherein he complains about not being able to get the time back that he has spent imprisoned. Pursuant to local rule, this matter was referred to a United States Magistrate Judge for preliminary determinations. On August 18, 2011, Magistrate Judge Bruce Howe Hendricks issued a report and recommendation ("R&R"), finding that the Plaintiff's complaint is subject to summary dismissal because a cause of action has not yet accrued as the Plaintiff has failed to establish that his conviction has been reversed, expunged, or declared invalid by a state court. Additionally, the Magistrate Judge noted that the Plaintiff has filed two other cases in this Court raising essentially the same claims, and that both of these cases have been dismissed without prejudice. Attached to the R&R was a notice advising the Plaintiff of his right to file specific, written objections to the R&R within 14 days of being served with a copy. Despite this notice, no objections have been filed.

Absent timely objection from a dissatisfied party, a district court is not required to review, under a de novo or any other standard, a Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v. Shriner's Hosp., 109 F.3d

198, 201 (4th Cir. 1997). Here, because the Plaintiff did not file any specific, written objections, the Court need not conduct a de novo review of any portion of the R&R. After a review of the record, the Court agrees with the Magistrate Judge's recommendation. Accordingly, it is hereby

**ORDERED** that the R&R (Entry 17) is adopted, and the Plaintiff's complaint is dismissed without prejudice and without issuance and service of process.

**IT IS SO ORDERED.**

  
Sol Blatt, Jr.  
Senior United States District Judge

September 20, 2011  
Charleston, South Carolina

